

**Patent
09/712,812**

Applicants' teachings are directed to a method for physically locating network degradations through knowledge of a physical network topology and the network's physical relationship to its subscriber base. Such a method could *not* even be performed in a packet or switched network, or a 'time-variant channel', as these technologies are not physically static.

Specifically, independent Claim 1 is directed to a method of quality service localization within a relatively time-invariant communications network. First, quality of service estimations for a plurality of communications mediums are received, each medium defined between a respective one of a plurality of transmitters located within the network to a common receiving point of the network, and each medium is conveyed over at least one shared physical communications path and at least one non-shared communications path. Second, the quality of service estimations are compared in order to localize a respective quality of service estimation to a likely physical communication path within the network.

Independent Claim 12 is directed to a system for quality service localization within a relatively time-invariant communications network and recites similar limitations to those recited in Claim 1.

Finally, independent Claim 19a is also directed to a system for quality service localization and recites a network having a common receiving point, a plurality of transmitters for transmitting to the common receiving point, a plurality of communications mediums coupling the plurality of transmitters to the common receiving point of the network and each medium conveyed over at least one shared physical communications path and at least one non-shared communications path and, finally, a quality of service localizer coupled to the common receiving point, the localizer localizing, based on the analysis of quality of service estimations received from the common receiving point, a particular quality of service estimation to a likely physical communication path within the network.

**Patent
09/712,812**

Saranka is directed to connection admission control in a broadband network that allows, through history, predefined or measured ATM cell delivery and traffic parameters, an admission control in a packet (cell) network to provide predetermined levels of connectionless quality of service.

Saranka *does not* teach or suggest a method of quality of service localization in which each of a received quality of service estimations, for a plurality of communication mediums, *defined between* a respective one of a plurality of transmitters located within the network *to a common receiving point of the network*. In addition, the packet network of Saranka fails to teach or suggest that each medium is conveyed *over at least one shared physical communications path and at least one non-shared communications path*. Still further, Saranka fails to teach or suggest that quality of service estimations are *compared in order to localize* a respective quality of service estimation *to a likely physical communication path* within the network.

Again, the method and system recited in each of Applicants' independent claims herein, Claims 1, 12 and 19, is directed to physically locating paths of signaling service quality degradation in a known network topology. Such a method would not be obvious in light of any of the teachings of Saranka and in fact, such a method could not even be implemented in a packet or switched network such as Saranka that is not physically 'static'.

For all of the foregoing reasons, Applicants respectfully submit that each of independent Claims 1, 12 and 19 is patentable over Saranka and favorable reconsideration is requested. Claims 2-11, 13-18 and 20-29 are dependent on either independent Claim 1, 12 or 19, and therefore such dependent claims are submitted to be patentable for at least the same reasons as those independent claims.

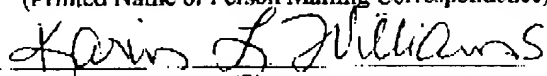
It is respectfully submitted that in regard to the above remarks that the pending application is patentable over the art of record and prompt review and issuance is accordingly requested. Should the Examiner be of the view that an interview would expedite consideration of this response or of the application at large, request is made that the Examiner telephone the

Patent
09/712,812

Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues be resolved.

Respectfully submitted,


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